

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

CHERYL L. ROBERTSON,

Plaintiff,

Case No. C10-5571-RAJ

V.

## **ORDER DISMISSING CASE**

MICHAEL J. ASTRUE, Commissioner of the  
Social Security Administration,

Defendant.

12 The court has considered the Report and Recommendation (“R&R”) of the Honorable  
13 Brian A. Tsuchida, United States Magistrate Judge, as well as Plaintiff’s objections to the R&R,  
14 Defendant’s response to those objections, and the balance of the record. The court observes that  
15 the ALJ in this case faced the unenviable task of determining how well Plaintiff might function  
16 when not suffering from the effects of substance abuse. The court has examined the  
17 administrative record carefully, and finds no reason to disturb the ALJ’s conclusion that putting  
18 aside those effects, Plaintiff is capable of working with certain non-exertional restrictions. The  
19 court thus agrees with the R&R’s recommendation that the court affirm the ALJ. The court  
20 accordingly orders as follows:

- (1) The Court adopts the R&R over Plaintiff's objections.
- (2) The court affirms the final decision of the Commissioner and directs the clerk to dismiss this case with prejudice.

1 (3) The court directs the clerk to enter judgment for Defendant.  
2 (4) The court directs the clerk to send this order to the parties and to Judge Tsuchida.

3 DATED this 10th day of August, 2011.

4  
5  
6



7

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23

The Honorable Richard A. Jones  
United States District Court Judge